

Amendments to Senate Bill No. 67
1st Reading Copy

Requested by Senator Larry Jent

For the Senate Judiciary Committee

Prepared by Valencia Lane
January 18, 2007 (7:27am)

1. Page 1, line 14.

Strike: "8"

Insert: "7"

2. Page 1, line 17 through line 18.

Following: "public" on line 17

Strike: remainder of line 17 through "supplies," on line 18

3. Page 1, line 19.

Following: "within"

Strike: "or outside"

4. Page 1, line 20 through line 23.

Following: "means" on line 20

Strike: remainder of line 20 through "state" on line 23

Insert: "the state of Montana"

5. Page 1, line 24.

Following: line 23

Insert: "(3) "Essential good or service" means food, water,
fuel, shelter, transportation, or medical supplies."

Renumber: subsequent subsections

6. Page 1, line 24.

Following: "means"

Insert: "the intentional"

7. Page 1, line 25.

Following: "essential"

Strike: "product"

Insert: "good"

8. Page 1, line 30.

Strike: "8"

Insert: "7"

Following: " ; "

Insert: "or"

9. Page 2, line 1 through line 2.

Strike: "(b)" on line 1 through "; or" on line 2

Renumber: subsequent subsection

10. Page 2, line 3.

Strike: "8"

Insert: "7"

11. Page 2, line 6.

Strike: "8"

Insert: "7"

12. Page 2, line 10.

Following: "general"

Strike: "or a county attorney"

Following: "finding"

Insert: "based on clear and convincing evidence"

13. Page 2, line 14.

Page 2, line 16.

Page 2, line 18.

Page 2, line 20.

Strike: "8"

Insert: "7"

14. Page 2, line 27 through line 30.

Strike: section 3 in its entirety

Renumber: subsequent sections

15. Page 3, line 2.

Following: "pricing"

Strike: "prohibited"

Insert: "presumed illegal"

16. Page 3, line 3.

Following: "disruption,"

Insert: "the sale by"

17. Page 3, line 3 through line 4.

Following: "person" on line 3

Strike: remainder of line 3 through "price" on line 4

Insert: "at prices in excess of those specified in subsection (2)
within the affected area of"

18. Page 3, line 4.

Following: "wholesale,"

Strike: "within the affected area"

Insert: "is presumed to be illegal subject to the defenses set
forth in [section 5]"

19. Page 3, line 5.

Following: "if it"

Strike: "is 10%"

Insert: "exceeds by 20%"

Following: "more"

Strike: "above"

20. Page 3, line 5 through line 7.

Following: "by" on line 5

Strike: remainder of line 5 through "disruption" on line 7

Insert: "other persons within a 50-mile radius of the location of the alleged offense for the same essential good or service during the 7 days prior to the alleged offense"

21. Page 3, line 15.

Following: "service."

Insert: "However, [sections 1 through 7] do not prevent a business from closing during the period of emergency or abnormal market disruption if legitimate business reasons warrant that action."

22. Page 3, line 18.

Strike: the first "8"

Insert: "7"

23. Page 3, line 18 through line 19.

Following: "may" on line 18

Strike: remainder of line 18 through "following" on line 19

Insert: "assert one or both of the following defenses"

24. Page 3, line 23.

Following: "price of"

Strike: "a"

Insert: "an essential"

25. Page 3, line 27.

Strike: "8"

Insert: "7"

26. Page 3, line 28.

Following: "general"

Strike: "or a county attorney of the county in which the violation occurs"

27. Page 3, line 29.

Following: "general"

Strike: "or a county attorney"

28. Page 3, line 30.

Strike: "8"

Insert: "7"

29. Page 3, line 30 through page 4, line 1.

Following: "general" on line 30

Strike: remainder of line 30 through "for" on page 4, line 1

Insert: "may request and obtain"

30. Page 4, line 1.

Following: "records"

Insert: "directly related to an alleged violation"

31. Page 4, line 4 through line 6.

Strike: "8]" on line 4 through "30-14-103" on line 6

Insert: "7] is subject to a civil penalty of up to \$1,000 for each incident, with a maximum penalty of \$25,000 for the duration of the emergency or abnormal market disruption"

32. Page 4, line 8 through line 10.

Following: "30-14-143." on line 8

Strike: remainder of line 8 through "agency." on line 10

33. Page 4, line 11.

Strike: "8"

Insert: "7"

34. Page 4, line 13 through line 14.

Following: "practicable" on line 13

Insert: ", "

Strike: remainder of line 13 through "(i)" on line 14

35. Page 4, line 14.

Following: "profits"

Strike: "for cases prosecuted by the attorney general"

36. Page 4, line 15 through line 18.

Following: "30-14-143" on line 15

Strike: remainder of line 15 through "agency" on line 18

37. Page 4, line 20.

Page 4, line 22.

Strike: "8"

Insert: "7"

- END -